

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 732

S.P. 262

In Senate, March 5, 2015

**Resolve, Authorizing the Commissioner of Administrative and
Financial Services To Sell or Lease the Interests of the State in
Certain Real Property Located in Augusta, Bangor and Thomaston**

Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator WILLETTE of Aroostook.
Cosponsored by Representative MARTIN of Sinclair and
Representative: TURNER of Burlington.

1 **Sec. 1. Authority to convey state property. Resolved:** That, notwithstanding
2 any other provision of law, the State, by and through the Commissioner of Administrative
3 and Financial Services, may:

4 1. Enter into a lease or leases or convey by sale any or a portion of the interests of the
5 State in the state property described in section 2, with the buildings and improvements,
6 together with all appurtenant rights and easements, and all personal property located on
7 that property, including vehicles, machinery, equipment and supplies;

8 2. Negotiate, draft, execute and deliver any documents necessary to settle any
9 boundary line discrepancies;

10 3. Exercise, pursuant to the Maine Revised Statutes, Title 23, chapter 3, subchapter 3,
11 the power of eminent domain to quiet for all time any possible challenges to ownership of
12 the state property;

13 4. Negotiate, draft, execute and deliver any easements or other rights that, in the
14 commissioner's discretion, may contribute to the value of a proposed sale or lease of the
15 State's interests; and

16 5. Release any interests in the state property that, in the commissioner's discretion, do
17 not contribute to the value of the remaining state property; and be it further

18 **Sec. 2. Property interests that may be conveyed. Resolved:** That the state
19 property authorized to be sold or leased is:

20 1. A parcel or parcels of land and buildings, or any portion thereof, in Augusta, now
21 or formerly occupied by the Kennebec County District Court, located at 145 State Street,
22 in Augusta, and any associated land and parking areas as may be necessary in the
23 determination of the Commissioner of Administrative and Financial Services, including
24 but not limited to all or a portion of the property depicted on the City of Augusta Tax
25 Map 33, Lot 241 and described in a deed recorded in the Kennebec County Registry of
26 Deeds, Book 1480, Page 752;

27 2. A parcel or parcels of land and buildings, or any portion thereof, in Augusta, now
28 or formerly known as the Daschlager House, currently occupied by the Maine Historic
29 Preservation Commission, located at 55 Capitol Street, in Augusta, and any associated
30 land and parking areas as may be necessary in the determination of the Commissioner of
31 Administrative and Financial Services, including but not limited to all or a portion of the
32 property depicted on the City of Augusta Tax Map 32, Lot 65 and described in a deed
33 recorded in the Kennebec County Registry of Deeds, Book 1842, Page 172;

34 3. A parcel or parcels of land and buildings, or any portion thereof, in Augusta, now
35 or formerly known as the McLean House, currently occupied by the Maine Arts
36 Commission, located at 193 State Street, in Augusta, and associated land and parking
37 areas as may be necessary in the determination of the Commissioner of Administrative
38 and Financial Services, including but not limited to all or a portion of the property
39 depicted on the City of Augusta Tax Map 32, Lot 64 and described in a deed recorded in
40 the Kennebec County Registry of Deeds, Book 1340, Page 331;

1 4. A parcel or parcels of land and buildings, or any portion thereof, in Augusta, now
2 or formerly known as the Smith-Merrill House, currently occupied by the Office of the
3 State Auditor, located at 187-189 State Street, in Augusta, and any associated land and
4 parking areas as may be necessary in the determination of the Commissioner of
5 Administrative and Financial Services, including but not limited to all or a portion of the
6 property depicted on the City of Augusta Tax Map 33, Lot 59;

7 5. A parcel or parcels of land and buildings, or any portion thereof, in Bangor, now
8 or formerly known as the Elizabeth Levinson Center, located at 159 Hogan Road, and any
9 associated land and parking areas as may be necessary in the determination of the
10 Commissioner of Administrative and Financial Services, including but not limited to all
11 or a portion of the property depicted on the City of Bangor Tax Map R71, Lot 9; and

12 6. A parcel or parcels of land and buildings, or any portion thereof, in Thomaston,
13 now or formerly known as the Ship Street Houses, at the site of the former Maine State
14 Prison, located on the northerly and southerly sides of U.S. Route 1, including but not
15 limited to property described in the following deeds recorded at the Knox County
16 Registry of Deeds: Book 16, Pg. 517; Book 22, Pg. 213; Book 23, Pg. 498; Book 27, Pg.
17 157; Book 31, Pg. 187; Book 172, Pg. 561; Book 358, Pg. 44; Book 399, Pg. 181; Book
18 457, Pg. 322; Book 18, Pg. 122; Book 28, Pg. 266; Book 250, Pg. 212; Book 442, Pg.
19 198; Book 445, Pg. 593; Book 475, Pg. 179; Book 6, Pg. 179; and Book 237, Pg. 429;
20 and be it further

21 **Sec. 3. Property to be sold as is. Resolved:** That the Commissioner of
22 Administrative and Financial Services may negotiate and execute leases and purchase and
23 sale agreements upon terms the commissioner considers appropriate, but the state
24 property described in section 2 must be sold "as is," with no representations or warranties.

25 The title must be transferred by quitclaim deed without covenant or release deed and
26 executed by the commissioner; and be it further

27 **Sec. 4. Exemptions. Resolved:** That any lease or conveyance pursuant to this
28 resolve is exempt from any statutory or regulatory requirement that the state property
29 described in section 2 first be offered to the Maine State Housing Authority or another
30 state or local agency; and be it further

31 **Sec. 5. Appraisal. Resolved:** That the Commissioner of Administrative and
32 Financial Services shall have the current market value of the state property described in
33 section 2 determined by an independent appraiser. The commissioner may list the state
34 property for sale or lease with private real estate brokers and negotiate any sales or leases,
35 solicit bids, sell directly to purchasers or enter directly into leases with tenants. The
36 commissioner may reject any offers; and be it further

37 **Sec. 6. Proceeds. Resolved:** That any proceeds from the sale or lease of the state
38 property described in section 2 pursuant to this resolve must, as designated by the
39 Commissioner of Administrative and Financial Services, be deposited into the
40 Department of Administrative and Financial Services, Bureau of General Services capital
41 repair and improvement account for capital improvements as designated by the
42 commissioner; and be it further

